

# **EXHIBIT C**

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Oct 26 2012  
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TRACEY L. O'REILLY  
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DANIEL BOONE  
JUSTIN MASSEY  
BRIAN D. SHANNON  
DONALD MOONEY, of Counsel

October 26, 2012

**VIA LNFS AND ELECTRONIC MAIL**

Stephen J. Riccardulli, Esq.  
McDermott Will & Emery  
340 Madison Avenue  
New York, New York 10173-1922

Re: New Jersey Dept. of Environmental Protection, et al. v. Atlantic Richfield Co., et al.  
**Plaintiffs' Designation of Experts Not Required to Provide A Written Report**

Dear Stephen:

Pursuant to CMO 106 (as modified by the Court's letter order of October 15, 2012) and FRCP 26(a)(2)(C), plaintiffs designate the following individuals who may offer expert opinion testimony regarding non-site specific subjects but who are not required to provide a written report.

**David Barth** is the Director of Budget and Finance for the New Jersey Department of Environmental Protection. Mr. Barth will testify that public funds are used for remediation under certain conditions but are not available to meet all remediation needs in New Jersey. Mr. Barth has already been deposed on some aspects of this topic and additional detail regarding his expected testimony may be found in his deposition transcript.

**Kevin Kratina** is the Bureau Chief for the Bureau of Underground Storage Tanks in the New Jersey Department of Environmental Protection. Mr. Kratina will testify regarding technical and resource issues the Department of Environmental Protection encounters in regulating underground storage tanks (USTs). Mr. Kratina has already been deposed on some aspects of this topic and additional detail regarding his expected testimony may be found in his deposition transcript.

**Karl Muessig** is the State Geologist for the State of New Jersey and Director of the New Jersey Geological Water Survey. Mr. Muessig will testify that New Jersey residents rely on groundwater as a source of drinking water and that groundwater contamination, including contamination with MTBE, diminishes New Jersey's ability to provide safe drinking water to New Jersey residents both now and in the future.

**Irene Kropp** is Deputy Commissioner of the New Jersey Department of Environmental Protection. Ms. Kropp will testify that the New Jersey Department of Environmental Protection has finite resources to address New Jersey's environmental problems, including MTBE, and will also testify to the limitations of the regulatory process. Ms. Kropp has already been deposed on some aspects of these topics and additional detail regarding her expected testimony may be found in her deposition transcript.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Axline".

Michael Axline  
Counsel for Plaintiffs

cc: All Counsel (via LNFS)